

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-77 are pending. Claims 1-77 have been rejected.

Claims 1, 33 and 34 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

DOUBLE PATENTING REJECTIONS

Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3 of co-pending Application number 10/665,097.

In response, Applicant is filing herewith a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Application No. 10/665,097, if the subject application were to mature into a granted patent, is disclaimed.

It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw the rejection of claim 1 under the judicially created doctrine of obviousness-type double patenting.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 8, 9, 11-32, 34, 40-66, 68-71 and 73-77 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,680,223 to Cooper, et al. ("Cooper").

Amended claim 1 reads as follows:

A computer-implemented method comprising:

receiving an image of an overview of a collection that comprises a first plurality of check boxes associated with documents and a second plurality of check boxes associated with actions;

identifying at least one action set forth in the image;

identifying at least one document, wherein the identifying the at least one action based on the second plurality of check boxes and the identifying the at least one document based on the first plurality of check boxes is performed using a single image;
and

performing the at least one action on the at least one document. (emphasis added)

As set forth above, Claim 1 as amended requires receiving an image of an overview of a collection that comprises a first plurality of check boxes associated with documents and a second plurality of check boxes associated with actions and identifying an action based on the one plurality of check boxes and identifying a document based on another plurality of check boxes using a single image. Applicant respectfully submits that this feature is not shown in Cooper.

Cooper discloses techniques for assigning an image domain label to a file. More specifically, Cooper discloses that a document is prefaced with a cover form that has an image domain label for the file. The document with the cover form is scanned, so that the electronic data file containing the image of the form and the document is stored in the computer. This data file is assigned a file name. When the computer is called to access the stored document, it displays the image domain label, so that the selection of the image domain label is interpreted by the computer as a selection of the document (col. 3, lines 24-col. 4, line 5). In particular, Cooper discloses that in response to the user's request, the computer generates a display of the image domain file labels. From this display, the user selects the image domain file label. Based on the pre-established relationship between the image domain file label and the file name, the computer interprets the user's selection as a selection of the associated file (col. 4, lines 6-20). Thus, Cooper merely discloses selecting documents by selecting labels from the listing of labels on the display.

Cooper does not teach, mention, nor disclose identifying at least one action based on the one plurality of check boxes and identifying at least one document based on another plurality of check boxes using a single image. In view of this, Applicant respectfully submits that amended claim 1 is not anticipated by Cooper under 35 U.S.C. § 102(b).

Because claims 8, 9, 11-32, 34, and 40-60 contain related limitations, Applicant respectfully submits that claims 8, 9, 11-32, 34, and 40-60 are not anticipated by Cooper under 35 U.S.C. § 102(b).

With respect to claim 61, as set forth above, Cooper merely discloses selecting a document by selecting a label from the listing of labels on the display. In contrast claim 61 refers to a marked check box locator, coupled to the document input index device, to identify at least one action set forth in the image and to identify a location on the document index image of at least one indication area having a mark therein, the at least one indication area being associated with at least one document.

Therefore, Applicant respectfully submits that claim 61 is not anticipated by Cooper under 35 U.S.C. § 102(b).

Because claims 62-66, 68-71 and 73-77 contain related limitations, Applicant respectfully submits that claims 62-66, 68-71, and 73-77 are not anticipated by Cooper under 35 U.S.C. § 102(b).

REJECTIONS UNDER 35 U.S.C. § 103

Claims 2-7, 10, 33, 35-39, 67 and 72 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper as applied to claim 1 above, and further in view of U.S. Patent No. 5,499,108 to Cotte, et al. ("Cotte").

Cotte teaches a scanning device that shares a single data port on a host computer with a fax modem. More specifically, Cotte discloses that the scanning device analyzes the input data

from a scanned document to find a code which tells the host computer what is to be done with this document (col. 10, lines 59-62, col.11, lines 28-30).

It is respectfully submitted that Cooper does not teach or suggest a combination with Cotte, and Cotte does not teach or suggest a combination with Cooper. As set forth above, Cooper teaches assigning an image domain label to a file. Cotte, in contrast, discloses a scanning device that shares a single data port on a host computer with a fax modem. Applicant respectfully submits that one skilled in the art would not look to combine the diverse teachings of Cooper and Cotte.

Furthermore, even if Cotte and Cooper were combined, such a combination would not anticipate the present invention as claims. As set forth above, the present invention as claimed requires identifying at least one action based on a first set of check boxes and identifying at least one document based on another set of check boxes using a single image. As set forth above, Cooper does not disclose such a feature. Cotte does not overcome this deficiency. That is, Cotte does not disclose identifying at least one action based on a first set of check boxes and identifying at least one document based on another set of check boxes using a single image. Therefore, Applicant respectfully submits that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Cooper in view of Cotte.

Because claims 2-7, 10, 33, 35-39, 67 and 72 contain related limitations, Applicant respectfully submits that claims 2-7, 10, 33, 35-39, 67 and 72 are not obvious under 35 U.S.C. § 103(a) over Cooper in view of Cotte.

Claims 10 and 39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper as applied to claim 1 above, and further in view of Cotte and U.S. Patent No. 6,409,401 to Petteruti, et al. ("Petteruti").

For the same reasons given above with respect to the combination of Cooper and Cotte, Applicant respectfully submit that the present invention as claimed is not obvious in view of the

combination of Cooper, Cotte and Petteruti. While reserving our right to argue that the combination is not proper, none of these references discloses identifying at least one action based on the second plurality of check boxes and identifying at least one document based on the first plurality of check boxes using a single image. Therefore, Applicant respectfully submits that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Cooper in view of Cotte, and further in view of Petteruti.

Because claims 10 and 39 contain related limitations, Applicant respectfully submits that claims 10 and 39 are not obvious under 35 U.S.C. § 103(a) over Cooper in view of Cotte, and further in view of Petteruti.


CONCLUSION

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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